




OFFICE OF THE COUNTY EXECUTIVE
ROCKVILLE, MARYLAND 20850

Isiah Leggett
County Executive

MEMORANDUM

September 2, 2010

To: Department/Office Directors; and
ASCs and Functional Equivalents

FROM:  Fariba Kassiri, Assistant Chief Administrative Officer

SUBJECT: Administrative Procedure 6-1, Use of County-Provided Internet, Intranet, and Electronic Mail Services

Please go to OMB's website to find Administrative Procedure 6-1, Use of County-Provided Internet, Intranet, and Electronic Mail Services under the Information and Processing Section of the Administrative Procedure Manual. The Administrative Procedure provides employees with guidelines governing the use of County-provided Internet, intranet, and electronic mail services by County employees. The County maintains intranet and internet access for its employees for the purpose of improving productivity, professional development, and the level of service to the people of our community.

A County employee may use County-provided Internet, intranet, or email services for personal purposes on only a limited, reasonable basis, and in accordance with this administrative procedure. However, employees must act reasonably to minimize personal use of County-provided Internet, intranet, and email services. Personal use of County Internet, intranet, or email services by employees should mainly be during personal time (before and after work or during lunch time). Such use must be kept to a minimum, must not increase or create additional expense to the County and must not disrupt the conduct of service or performance of official duties.

The AP is being published in final form under the Information Processing Section on the AP website. Please forward this administrative procedure to all your division chiefs, program managers, and all other employees in supervisory capacity.

View the table of contents on OMB's home page on the intranet at
<http://portal.mcgov.org/Omb/forms/APs/AP.htm>

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Use of County-Provided Internet, Intranet, and E-mail Services

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A handwritten signature in black ink, likely of the County Executive, over the "CAO APPROVAL" text.

PURPOSE

- 1.0 To establish an administrative procedure governing the use of County-provided Internet, intranet, and electronic mail services by County employees. The County maintains intranet and Internet access for its employees for the purpose of improving productivity, professional development, and the level of service to the people of our community.

DEFINITIONS

- 2.0 Department of Technology Services (DTS) - A department in the executive branch that is responsible for automated information systems and telecommunications technology.
- 2.1 CIO - Chief Information Officer and DTS Department Head
- 2.2 Personal Use - Activity that is conducted for purposes other than accomplishing official or otherwise authorized activity.

POLICY

- 3.0 Internet, intranet, and electronic mail (email) services are provided to County employees and persons legitimately affiliated with the business of the County government for the efficient exchange of information and the completion of assigned responsibilities that are consistent with the County's purposes.
- 3.1 Employees must use County-provided Internet, intranet, and email services responsibly and professionally, and must not use Internet, intranet, or email services in a manner that violates any applicable federal, State, or Montgomery County law, regulation, or policy, including those contained in the County's Administrative Procedures.
- 3.2 A County employee may use County-provided Internet, intranet, or email services for personal purposes on only a limited, reasonable basis, and in accordance with this administrative procedure. However, employees must act reasonably to minimize personal use of County-provided Internet, intranet, and email services. Personal use of County Internet, intranet or email services by employees should mainly be during personal time (before and after work or during lunch time). Such use must be kept to a minimum, must not increase or create additional expense to the County and must not disrupt the conduct of service or performance of official duties.
- 3.3 An employee's use of County-provided Internet, intranet, or email services indicates consent to this administrative procedure, and to the County's access and monitoring, for legitimate business purposes (including a non-investigatory work-related search or investigatory search of suspected work-related misfeasance), of his/her electronically stored email messages and computer files, and any other data related to the employee's use of the County's Internet, intranet, and email services.



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- 3.4 Any employee who is in violation of this administrative procedure may be subject to disciplinary action, including dismissal, and other legal remedies available to the County, in accordance with applicable federal, State, or Montgomery County laws and regulations, including Personnel laws and Regulations, and Ethics Laws, currently codified at Chapter 33, Appendix F, and Chapter 19A of the County Code, respectively, and applicable collective bargaining agreements, as amended.

GENERAL

CONNECTING TO INTERNET, INTRANET, AND EMAIL SERVICES

- 4.0 County employees may connect to County-provided Internet, intranet, or email services only through:
- A. Personal Computers (PCs) such as desktops and laptops connected to the County's computer network via the County's secure enterprise Internet service connection; or
 - B. Stand-alone (non network-connected or temporarily disconnected) PCs via a private Internet Service Provider (ISP), such as America On-Line (AOL), or via a DTS-sanctioned remote access method.
- 4.1 Any PC that connects to County-provided Internet, intranet, or email services must have up-to-date antivirus software and current updates for Windows operating system software installed on it and must be configured to actively protect against virus infections and periodically scan the PC to check for viruses.
- 4.2 Costs incurred by the County for ISP connections to stand-alone PCs are the responsibility of the using department. Employees must obtain department approval prior to obtaining a County-provided ISP connection.

PROHIBITED USER CONDUCT

- 4.3 Employees must use County-provided Internet, intranet, and email services in accordance with this administrative procedure and all applicable laws, regulations, and policies. Prohibited conduct, including personal use, includes:
- A. Accessing, sending, forwarding, storing, or saving on County PCs or servers any material that is offensive, demeaning or disruptive, including messages that are inconsistent with the County's policies concerning "Equal Employment Opportunity" and "Sexual Harassment and Other Unlawful Harassment," for any reason other than for purposes of eliminating this type of material from County systems. The act of inadvertently opening an email that contains this type of material does not, itself, constitute a violation of this policy.



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- B. Personal use beyond that permitted by this policy.
- C. Any use prohibited by federal, State, or County law.
- D. Employees may not modify computer equipment for personal purposes. This would include loading of personal software, non-County supplied software; "shareware" and/or "freeware"; animated (executable) screen savers or peer-to-peer software packages. Examples of inappropriate personal configuration include adding unauthorized wireless network cards, use of external storage devices that contain applications, and communications or video components not supplied or tested by the County.
- E. Using the County's Internet, intranet, or email services to gain unauthorized access to County or other system resources.
- F. Using the County's Internet, intranet, or email services for gambling or other illegal or County-prohibited activities.
- G. Using the County's Internet, intranet, or email services for private gain or profit.
- H. Infringing upon computer software and data protected by copyright intellectual property rights and/or license laws.
- I. Using the County Internet, intranet, or email services or applications to publish and/or represent (expressly or implicitly) personal or unofficial opinions as those of the County.
- J. Any personal use that could cause congestion, delay or disruption of service to any County system or equipment. This may include, but not limited to:
 - 1. "Chain" or unnecessary "Reply All" emails; and
 - 2. Downloads of video, sound or other large, non-work related files.
- K. Sending broadcast messages to all, or the majority of, County e-mail users without obtaining prior approval from the Chief Administrative Officer (CAO), in accordance with County information technology policies and procedures.

COUNTY OWNERSHIP, MONITORING, CONTROL, AND DISCLOSURE

- 4.4 All County-provided electronic systems, hardware, software, temporary or permanent files and any related systems or devices used in the transmission, receipt or storage of Internet, intranet, or email communications are the property of, or licensed to, the County.



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- 4.5 Any information transmitted or received by employees using the County's Internet, intranet, and email services, or stored on the County's computer resources, is the property of the County and, therefore, is not considered private. This includes email from an employee's personal account, such as Hotmail or AOL, if that email is stored on the County's computer resources.
- 4.6 Internet, intranet, and email electronic files and messages may be retrieved from storage by the County and its agents without prior notice to an employee, even if the electronic files and messages have been deleted by the sender or receiver. These messages and files may also be used by the County in disciplinary or other proceedings.
- 4.7 Employees must take appropriate measures to prevent unauthorized access to confidential information when using the County's Internet, intranet, and email services, in accordance with applicable federal, State, or Montgomery County laws, regulations, or policies regarding confidential information.
- 4.8 The County may monitor an employee's use of County-provided Internet, intranet, and email services, and may access an employee's email messages and computer files in its sole discretion, when there is a legitimate business purpose (including a non-investigatory work-related search or investigatory search of suspected work-related misfeasance). This includes access to email messages from an employee's personal email account, such as Hotmail or AOL, if the personal email is stored on the County's computer resources.
- 4.9 Upon the approval of the email user's department head and the CIO, system administrators in DTS or the email user's department may access an employee's email messages and computer files related to the employee's use of the County's Internet, intranet, and email services. The existence of privately held passwords and "message delete" functions do not restrict or eliminate the County's ability or right to access this information.
- 4.10 The County may monitor or control the flow of Internet/intranet and email traffic over the County's network for security or network management reasons, or for other legitimate business purposes.
- 4.11 The County may be compelled to access and disclose to third parties messages sent over its Internet, intranet, or email systems, in accordance with the Maryland Public Information Act (MPIA), Maryland Code Ann., State Gov't §§ 10-611 to 10-628 (1998 Repl. Vol.). The MPIA applies to an electronically stored email message or a hard copy of the message in the custody and control of a public officer or employee, if the message is related to the conduct of public business. 81 Op. Att'y Gen, Op No. 96-016, 1996 WL 305985 (1996).



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RESPONSIBILITIES

5.0 Department of Technology Services

- A. Provide a 24-hour, 7 day-a-week secure, high-speed enterprise connection to Internet, intranet, and email services.
- B. Notify users of County-provided Internet, intranet, and email services when those services will be unavailable for system or network maintenance.
- C. Provide operating system and anti-virus software for all County-owned PCs, and manage software configurations, including operating system and anti-virus, for all County-owned PCs connected to the County's network.
- D. Accept help desk calls when a County employee or department notes a problem with County-provided Internet, intranet, or email services, and distribute information, updates, and/or resolutions, as appropriate.
- E. Maintain the current version of this administrative procedure, in accordance with Administrative Procedure 6-6, Information Technology Policies and Procedures Manual.
- F. Provide CIO approval or denial of a department head's request to monitor an employee's use of County-provided Internet, intranet, and email services, or to access an employee's email messages and computer files.
- G. Provide information to a department head regarding an employee's use of County-provided Internet, intranet, and email services, when directed by the CIO to do so.

5.1 Department

- A. Ensure that employees are informed of, and comply with, this administrative procedure.
- B. Responsible to ensure the appropriate use of department resources, including IT and official employee time.
- C. Ensure that this administrative procedure is incorporated by reference into all contracts in which the County is to provide contractors or volunteers with the use of its Internet, intranet, or email services to conduct the County's business, and that all contractors and volunteers are bound to comply with this administrative procedure.



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- D. Pay the cost of ISP services or remote access connections that it approves for non-networked PCs.
- E. Manage the configuration of anti-virus software for non-networked, County-owned PCs, and obtain from DTS any necessary anti-virus software.
- F. Through DTS or departmental IT staff, ensure that the operating system on PCs have software updates in accordance with County information technology policies and procedures.
- G. A Department head must seek approval from the CIO prior to monitoring or accessing an employee's electronically-stored email messages or computer files, or any other electronically-stored information available related to the employee's use of the County's Internet, intranet, and email services.

5.2 County Employees

- A. Keep apprised of the latest version of this administrative procedure.
- B. Ensure use of County-provided Internet, intranet, and email services is in accordance with this administrative procedure.
- C. Must not access another user's email account without authorization from the department director or the employee to whom the email account is assigned.
- D. Obtain department approval prior to acquiring a County-provided ISP connection for a non-networked PC.
- E. In accordance with County information technology policies and procedures, obtain approval from the CAO before sending a broadcast email to all, or the majority of, County email users.

PROCEDURE

- 6.0 Employee Abide by this administrative procedure as it relates to the use of Internet, intranet, and email services.
- 6.1 Department Ensure that all employees are informed of and abide by this administrative procedure.

ISP Connection on Non-Networked Computer

- 6.2 Employee Request approval from department for the acquisition of a County-provided ISP connection for a non-networked PC.



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6.3 Department

Approve or disapprove of the employee's request for a County-provided ISP connection for a non-networked PC.

Pay the costs of any approved ISP services that result from the employee's request.

Broadcast email

6.4 Employee

Request approval from department for sending a broadcast email to all, or the majority of County employees.

6.5 Department

Request approval from the CAO prior to permitting an employee to send a broadcast email to all, or the majority of, County employees.

6.6 CAO

Approve or disapprove requests to send County-wide broadcast email messages.

Monitoring and Accessing Use

6.7 Department

Determine if there is a legitimate business purpose to monitor an employee's use of County-provided Internet, intranet, and email services, or to access an employee's email messages or computer files.

If there is a legitimate business purpose to monitor an employee's use of County-provided Internet, intranet, and email services, the department head must request in writing to the CIO for approval to monitor an employee's use of County-provided Internet, intranet, and email services or to access an employee's email messages or computer files.

6.8 CIO

Approve or disapprove a department head's request for monitoring or accessing an employee's email messages or computer files.

6.9 DTS

For approved requests, provide appropriate information to the requesting department head.



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DEPARTMENTS AFFECTED

7.0 All County Departments.